UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA - v.- JOSE M. FREUNDT, Defendant.	**REQUEST FOR MODIFICATION OF PRETRIAL RELEASE CONDITIONS** Case No.: 1:15 cr-00769-AJN-5

To the Honorable Alison J. Nathan:

I am writing to request that the Court modify the terms of Mr. Freundt's pre-trial release conditions such that the pre-trial release officer assigned to supervise Mr. Freundt can grant permission to Mr. Freundt to travel out of the State of Florida for work. We are not seeking to have this letter filed under seal pursuant to *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). My office spoke with AUSA Dan Noble and Pretrial Officer Carlin Samples, neither of whom is opposed to this request.

Mr. Freundt is a Florida resident. He was formerly employed as a Government Analyst I for the Department of Financial Services for the State of Florida. As a result of his plea in this case he was put on administrative leave October 30th and was given the opportunity to voluntarily resign before being terminated on November 21st.

Currently, he is employed as a volleyball coach for the Tallahassee Juniors Volleyball Club. The business address is 2735 Power Mill Court, Tallahassee, Florida 32301 (phone number 850-228-8254). He has been with organization since its merger with the Tallahassee Volleyball Association eight years ago. Prior to that he was with the Tallahassee Volleyball Association for two years - for a total of 10 years coaching with the organizations. He is the assistant coach for the 14 State Team and the head coach of the 15 Nike Elite Team.

Mr. Freundt has been married for three years. He has a two-year-old daughter and his wife is pregnant with their second child. The family depends upon Mr. Freundt for support and, currently, coaching is Mr. Freundt's only source of income.

Under Mr. Freundt's current conditions of release, Mr. Freundt's travel is "restricted to SDNY/EDNY/ the State of Florida, and points in between for purposes of court dates and meeting with counsel." The 15 Nike Elite Team Mr. Frenudt coaches must travel outside the State of Florida for tournaments/games. Mr. Freundt is paid to attend and coach the team at these tournaments/games. For example, the team is scheduled to play in Atlanta, Georgia, on January 14-16, February 25-26, and March 31 - April 2. Also, the team is scheduled to play in Louisville, Kentucky, on March 11 - 12.

We respectfully request that the court modify the terms of Mr. Freundt's conditions of release so that pretrial services will have the authority to grant or deny travel requests. This will allow Mr. Freundt to make requests directly to pretrial services without his attorneys filing requests with the court each time his team has an out-of-state game.

Upon information and belief, Mr. Freundt has been doing well with pretrial services, following all rules.

Respectfully submitted,

December 19, 2017
Date

Gary R. Conroy

Gary R. Conroy
Epstein & Conroy
335 Adams Street,
Suite 2703
Brooklyn, NY 11201
Office: 718-852-6763
Fax: 718-834-7631
grconroy@verizon.net

cc: Daniel S. Noble, Assistant United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007
Tel: (212) 637-2239
Cell: (646) 483-9508
Email: daniel.noble@usdoj.gov

Eun Young Choi - Assistant United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, NY 10007
P: (212) 637-2187
C: (917) 572-9578
Email: Eun.Young.Choi@usdoj.gov